THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.4880 OF 2007

DATED 13TH MARCH, 2007

BETWEEN

Simhadri Prakasha Rao and others.

… Petitioners

AND

The Commissioner, Endowments Department, Tilak Road, Hyderabad and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.4880 OF 2007

ORDER:

The three petitioners are residents of East Kanpur Village of Chillakur Mandal of Nellore District. It is alleged that the first petitioner's father and his brothers constructed a small temple in 1980 installing Sri Mutyalama. There was a dispute regarding the control of the temple between two groups. One group is represented by the first petitioner. Be that as it is, in 2004, the third respondent appointed a Trust Board. The first petitioner herein and one S.Manohar, son of first petitioner's brother, were included in the Trust Board, the term of which expired in 2006. As yet no steps are being taken for appointment of new Trust Board. In the meanwhile, annual festival (Jathara) of Sri Mutyalamma is scheduled during 13-15th of March, 2007. The petitioners allege that they made all arrangements and in spite of the same, the respondents did not take any steps to constitute festival committee as was done in the past whenever Trust Board was not in place. Therefore, they filed the writ petition seeking a writ of Mandamus directing the respondents to constitute a regular Trust Board and also recognize the petitioners as festival committee members for the ensuing annual festival.

This Court, while admitting the matter on 09.03.2007, directed the learned Assistant Government Pleader for Endowments to get instructions in the matter. Today, after getting instructions, learned Assistant Government Pleader submitted that Government issued orders in G.O.Rt.No.511, dated 12.03.2007, constituting nine persons as festival committee. Consequent thereto, first respondent issued proceedings, dated 13.03.2007 appointing festival committee. Be it

also noted that the second petitioner and Simhadri Manohar, S/o first petitioner's brother are also members of festival committee. Learned Assistant Government Pleader also placed before this Court the fax message received from the Commissioner of Endowments.

As the writ petition is filed alleging that festival committee is not appointed and now that the Government as well as the Commissioner of Endowments issued orders appointing festival committee, nothing survives for adjudication in writ petition. As the term of the Trust Board expired in 2006, the Assistant Commissioner of Endowments, third respondent herein, may take necessary steps for appointment of regular Trust Board. This exercise may be completed within a period of three months from the date of receipt of copy of this order.

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

13.03.2007.
pln